

REMARKS

In section 3 of the Office Action, the Examiner rejected claims 1-19, 22-36, 28-50, and 53-75 under 35 U.S.C. §103(a) as being unpatentable over Pike in view of Stephens.

Independent claim 1 recites that content is received from a content provider, that the received content is displayed behind a session if the session is active, and that a notifier is displayed indicating that the content is available for display. The notifier is displayed so as to be viewable while the content is being displayed behind the active session.

Pike does not disclose displaying content behind an active session and displaying a notifier that both indicates that the content is available for display and is viewable while the content is being displayed behind the active session as required by independent claim 1.

The Examiner points to the present disclosure and appears to argue that content can be the notifier. However, even if that were true, Pike does not disclose that content is both displayed behind an active session and is also displayed in view so as to indicate that the

content behind the active session is available for display.

Similarly, Stephens does not disclose that content is both displayed behind an active session and is also displayed in view so as to indicate that the content behind the active session is available for display, all as required by independent claim 1. Stephens instead describes an audible notice. Such a notice is a sound wave, it is not a display. Stephens also describes a headline. However, the headline is not displayed in view so as to indicate that there is content being displayed behind an active session that is available for display.

According, because neither Pike nor Stephens discloses displaying content behind an active session and also displaying a notifier in view so as to indicate that there is content being displayed behind the active session as required by independent claim 1, the combination of Pike and Stephens cannot disclose the invention of independent claim 1.

Because the combination of Pike and Stephens does disclose the invention of independent claim 1, independent claim 1 cannot be unpatentable over the combination of Pike in view of Stephens.

Moreover, perhaps the Examiner is arguing that Pike discloses that received content is displayed behind an active session and that Stephens discloses a notifier either in the form of an audible message or in the form of a headline. However, there is no suggestion that the audible message or headline of Stephens be used to notify the user that there is content being displayed behind an active session. Pike is merely concerned with updating an application even though that application does not have the focus, and Stephens at most only suggests that the audible message or headline be used to prompt a user to retrieve content from a remote site.

Accordingly, since neither Pike nor Stephens suggests to one of ordinary skill in the art that a notifier be presented so that the notifier is in view and so that the notifier indicates that content is received and is being displayed behind an active session, independent claim 1 cannot be unpatentable over Pike in view of Stephens.

Further, the Examiner appears to be asserting in connection with lines 51-60 of column 7 of Stephens that information is received as the information becomes available and that audio signals representative of the information are provided. However, the information is

not being displayed behind an active session. It is merely being converted to an audible form such that, if the listener is interested, the listener can retrieve the story or news item from its data source.

Therefore, one of ordinary skill in the art will recognize that Stephens does not disclose a notifier as recited in independent claim 1.

For all of the reasons given above, independent claim 1 is not obvious over Pike in view of Stephens.

Independent claim 7 is directed to a method performed at a content recipient in which content is received at a content recipient from a content provider, in which the received content is displayed at the content recipient the content behind a session if the session is active, and in which the content at the content recipient is visibly displayed to a user by automatically burning the content through the session without changing focus on the session.

Neither Pike nor Stephens discloses burning content through a session without changing the focus on the session.

For this reason, independent claim 7 is not obvious over Pike in view of Stephens.

Independent claim 30 is directed to a computer readable storage medium that stores program code which, when executed by a computing device, automatically initiates a request to receive content from a content provider, receives the content from the content provider in response to the request, and displays the content behind a session if the session is active.

The Examiner asserts that Stephens in column 6, lines 26-35 discloses that the content that is automatically retrieved from a content provider is displayed behind an active session. However, this portion of Stephens merely describes the function of windows and does not disclose that automatically retrieved content is displayed behind an active session.

Similarly, Pike does not disclose displaying automatically retrieved content behind an active session.

Accordingly, because neither Pike nor Stephens discloses these features of independent claim 30, the combination of Pike and Stephens would not have led one of ordinary skill in the art to the invention of independent claim 30.

For this reason, independent claim 30 is not obvious over Pike in view of Stephens.

Independent claim 59 recites that a content recipient automatically (i) accesses a content provider, (ii) initiates receipt of the posted content, (iii) receives the posted content, and (iv) displays the posted content behind a session if the session is active.

As indicated above, neither Pike nor Stephens discloses displaying automatically retrieved content behind an active session. Therefore, the combination of Pike and Stephens would not have led one of ordinary skill in the art to the invention of independent claim 59.

For this reason, independent claim 59 is not obvious over Pike in view of Stephens.

Independent claim 72 recites that a note attached to a web page is received from a content provider without receiving the web page and that the note is displayed behind a session if the session is active.

Pike describes updating a session with new material even though the session might not have the focus. However, Pike does not deal with receiving a note attached to web page without receiving the web page. Indeed, Pike mentions nothing about web pages.

Stephens describes retrieving web pages as a whole. Stephens also describes retrieving headlines.

However, there is no suggestion in Stephens that such headlines are elements of a web pages that can be downloaded separately from the web pages.

Stephens does describe a notice system that includes one or more news summary pages listing all of the recent headlines. Stephens further describes that a user, who does not want to hear all headlines from all available data sources, can select the data source and noteworthiness criterion for presentation to the user; thus, if a data source meets the noteworthiness criterion, only a news story that is from that data source and that satisfies the criterion is presented to the user.

As can be seen, even this disclosure of Stephens does not suggest that a headline is retrieved separately from the summary page. Instead, Stephens merely suggests that a summary page posted at a selected data source is downloaded and that only those items of the downloaded web page that meet the criterion are selected for audible conversion.

The portions of Stephens pointed to by the Examiner (column 7, lines 5-60 and column 10, lines 51-57) do not disclose or suggest downloading a headline without downloading the web page to which the headline

might be attached. Instead, Stephens at most discloses downloading the entire web page and selecting only those headlines of the downloaded web for audible reproduction to the user.

Accordingly, because neither Pike nor Stephens discloses or suggests receiving a note attached to a web page without receiving the web page, the combination of Pike and Stephens would not have suggested the invention of independent claim 72 to one of ordinary skill in the art.

For this reason, independent claim 72 is not obvious over Pike in view of Stephens.

Independent claim 74 recites that a note received from a content provider (i) has a property of automatic attachment to a window following dragging the note to and then dropping the note over the window and (ii) is displayed behind a session if the session is active.

Neither Pike nor Stephens discloses or suggests that received content can be dragged to a window and then dropped so that it automatically attaches to the window.

For this reason, independent claim 74 is not obvious over Pike in view of Stephens.

Because independent claims 1, 30, 59, 72, and 74 are not obvious over Pike in view of Stephens, dependent claims 2-19, 22-26, 28, 29, 31-50, 53-58, 60-71, 73, and 75 are not obvious over Pike in view of Stephens.

In section 4 of the Office Action, the Examiner rejected claims 20, 21, 51, and 52 under 35 U.S.C. §103(a) as being obvious over Pike in view of Stephens and further in view of Ng.

Ng does not make up for the deficiencies of Pike and Stephens.

Therefore, independent claims 1 and 30 are not obvious over Pike in view of Stephens and further in view of Ng. Because independent claim 1 and 30 are not obvious over Pike in view of Stephens and further in view of Ng, dependent 20, 21, 51, and 52 likewise are not obvious over Pike in view of Stephens and further in view of Ng.

In section 5 of the Office Action, the Examiner rejected claims 76 and 77 under 35 U.S.C. §103(a) as being obvious over Pike in view of Stephens and further in view of Tsimelzon.

Independent claim 76 recites that a note is received from a content provider, that the note is an

element of a web page, that the note is received separately from the web page, and that the note has a title bar, menu button, and a display area.

Neither Pike nor Stephens discloses or suggests receiving a note, which has a title bar, menu button, and a display area, and which is an element of a web page, without receiving the web page.

Similarly, Tsimelzon does not disclose or suggest receiving a note, which has a title bar, menu button, and a display area, and which is an element of a web page, without receiving the web page.

Accordingly, the combination of Pike, Stephens, and Tsimelzon cannot disclose or suggest the invention of independent claim 76 to one of ordinary skill in the art.

Therefore, independent claim 76 would not have been obvious over Pike in view of Stephens and further in view of Tsimelzon.

Because independent claim 76 is not obvious over Pike in view of Stephens and further in view of Tsimelzon, dependent claim 77 is not obvious over Pike in view of Stephens and further in view of Tsimelzon.

Newly added dependent claim 78 recites that a note has a property of automatic attachment such that the note automatically attaches to a window to which the note

is dragged and then dropped. None of the references cited by the Examiner discloses that any material downloaded from a content provider automatically attaches to a window to which the note is dragged and then dropped.

Therefore, dependent claim 78 is patentable over Pike, Stephens, Ng, and/or Tsimelzon.

Newly added dependent claim 79 essentially recites that content is received from a content provider in response to a world wide web address transmitted to the content provider by the content recipient, that the received content is displayed behind a session if the session is active, and that a notifier is displayed to indicate that the content is available for display, where the notifier is displayed so as to be viewable while the content is being displayed behind the active session.

None of the references cited by the Examiner discloses this combination of features.

Therefore, dependent claim 79 is patentable over Pike, Stephens, Ng, and/or Tsimelzon.

Newly added independent claim 80 recites that content is received from a content provider, that the content is displayed behind a session if the session is active, and that the content is visibly displayed to a

user by automatically burning the content through the session so that a border is provided between the content and the session and so that material layered below the session is in view through the border.

None of the references cited by the Examiner discloses automatically burning received content through a session so that a border is provided between the content and the session and so that material layered below the session is in view through the border.

Therefore, independent claim 80 is patentable over Pike, Stephens, Ng, and/or Tsimelzon.

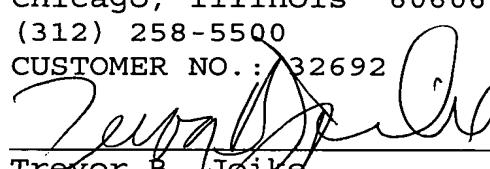
CONCLUSION

In view of the above, it is clear that the claims of the present application patentably distinguish over the art applied by the Examiner. Accordingly, allowance of these claims and issuance of the above captioned patent application are respectfully requested.

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